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AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HALEWAIOLU SENIOR RESIDENCES, AFFORDABLE HOUSING PROJECT AT HONOLULU, OAHU, HAWAII, TAX MAP KEY 1-7-006: 012.

WHEREAS, the Halewaiolu Senior Development, LLC, a developer and manager specializing in affordable housing, proposes to develop an elderly, affordable multi-family rental housing project on about 25,925 square feet of BMX-4 Central Business Mixed Use District-zone land located at 1331 River Street in Honolulu and identified by Tax Map Key 1-7-006: 012, which is owned by the City and County of Honolulu, to be known as Halewaiolu Senior Residences (the "Project") as described in Exhibits A through P attached to this resolution; and

WHEREAS, the Project consists of a 17-story building, containing a total of 156 dwelling units (155 elderly affordable rental units and one market-rate resident manager unit), residential amenities, bicycle parking, and 51 parking spaces; and

WHEREAS, the Project's affordable rental units, comprised of one-bedroom and two-bedroom units, will be available to households earning between 30 percent to 80 percent of the area median income ("AMI") for Honolulu, with 16 units affordable to families earning 80 percent of AMI, 131 units affordable to families earning 60 percent of AMI, and 8 units affordable to 30 percent of AMI for an affordability period of 65 years; and

WHEREAS, the Project is eligible to receive consideration under the City's rules implementing Section 201H-38 of the Hawaii Revised Statutes ("HRS"), which require that at least 50 percent of a project's total units must be available to housing earning at or below 80 percent of the AMI; and

WHEREAS, the City Council is empowered and authorized to approve the Project which may include exemptions from statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivision, development and improvement of land, and the construction of units thereon pursuant to Sections 46-15.1 and 201H-38, HRS; and

WHEREAS, the City Council has reviewed the preliminary plans and specifications dated October 13, 2020 (the "Plans"), attached as Exhibits, and submitted to the Council by the Department of Planning and Permitting ("DPP") on December 28, 2020 (the Applicant having agreed to an extension of the administrative deadline, by Departmental Communication _____ (2020); and



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WHEREAS, the Project is consistent with the housing and community development goals and objectives of the City; and

WHEREAS, the granting of the exemptions is necessary for the timely and successful implementation of the Project;

WHEREAS, the Project does not contravene any safety standards, tariffs, or rates and fees approved by the Public Utilities Commission or the Board of Water Supply; and

WHEREAS, the exemptions authorized herein meet the intent of HRS Chapter 201H, and the minimum requirements of health and safety; now, therefore.

BE IT RESOLVED by the City Council of the City and County of Honolulu that it approves the Project, which approval includes exemptions from certain requirements for the Project as set forth in the preliminary plans and specification referenced above, and generally identified below, as follows:

Application Fees:

- A. Exemption from Section 14-14.4, Revised Ordinances of Honolulu (ROH), to allow an exemption from payment of grading and grubbing permit fees, estimated at \$1,155.
- B. Exemption from Section 14-13.6, ROH, to allow an exemption from payment of erosion and sediment control plan review fee, estimated at \$250.
- C. Exemption from Section 14-17.1, ROH, to allow an exemption from trenching, repair and service permit fee, estimated at \$775.
- D. Exemption from Section 18-6.1, ROH, to allow an exemption from payment of plan review fees, estimated at \$30,000.
- E. Exemption from Section 18-6.2, ROH, to allow an exemption from payment of building permit (BP) fees, estimated at \$320,000.

Fire Department Review Fees:

F. Exemption from Section 20-1.1(3) and 20-1.12.8, ROH, to allow an exemption from Honolulu Fire Department plan review fees, estimated at \$14,056.

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Infrastructure and Public Works Fees and Charges:

- G. Exemption from Sections 14-6.4, 14-10.1 to 10.3, and 14-10.6, ROH, to allow an exemption from payment of wastewater system facility charges and sewer connection fee, estimated at \$192,000 or as determined by the Department of Environmental Services (ENV).
- H. Exemption from Section 14-12.12, ROH, to allow an exemption from private storm drain connection license fee, estimated at \$200.
- I. Exemption from Sections 1-102 and 2-202(2), ROH, to allow an exemption from payment of water system connection, facility, meter, and connection fees, estimated at \$285,000.

Park Dedication Ordinance Requirements:

J. Exemption from Section 22-7, ROH, to allow exemption from the provision of 15,795 square feet of recreational space or payment of an equivalent in-lieu fee, estimated at \$4,738,500.

Land Use Ordinance (LUO):

- K. Exemption from LUO Section 21-3.120-2(b) Table 21-3.4, to allow an exemption from the maximum floor area ratio (FAR) of 4.0 by 1.9 and allow an FAR of 5.9.
- L. Exemption from LUO Section 21-3.120-2(b) Table 21-3.4, to allow an exemption from the five-foot front yard to allow the multi-purpose room to be built at the property line.
- M. Exemption from LUO Section 21-3.120-2(c)(1), to allow an exemption from the requirement that the front yard must be landscaped.
- N. Exemption from LUO Section 21-6.50(b)(3), relating to tandem parking, to allow exemption to the requirement to assign tandem spaces to an individual dwelling unit and to allow residents, customers, and guests to park in any tandem parking space.
- O. Exemption from LUO Section 21-6.40(b), to allow exemption from the required bicycle parking to provide six short-term spaces instead of 20 spaces, and provide 76 long-term spaces instead of 78 spaces.

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- P. Exemption from LUO Section 21-6.40(d)(2), to allow exemption to the bicycle parking location requirements, to provide at least four short-term bicycle parking spaces as close as possible to the entrances of principal uses on the lot and allow the remaining short-term bicycle parking spaces near the loading entrance.
- Q. Exemption from LUO Section 21-6.110, to allow exemption to the required number of loading spaces to provide one loading space instead of the two required loading spaces.
- R. Exemption from LUO Section 21-6.130, to allow exemption to the minimum loading space dimensional requirements, and provide an 8.5 x 19 feet loading space with a vertical clearance of at least 10 feet instead of the required 12 x 35 feet loading space with a vertical clearance of at least 14 feet.

Transit-Oriented Development (TOD) Special District Development Standards:

- S. Exemption from LUO Section 21-9.100-8(a)(3)(A), to allow exemption from minimum and maximum front yard setbacks.
- T. Exemption from LUO Section 21-9.100-8(a)(3)(E)(ii), to allow exemption to the requirement that ground floor residential uses that encroach into the front yard should be landscaped and other portions of the front yard to be landscaped except for necessary drives and walkways.
- U. Exemption from LUO Section 21-9.100-8(a)(3)(D)(iii), to allow exemption to the requirement that the ground floor building façade be located within the maximum front setback for 65 percent of the linear street frontage to allow the Project's façade to be located within 10 feet of the front property line for only 40 percent of the street frontage.
- V. Exemption from LUO Section 21-9.100-8(c)(5), to allow exemption to the requirement that service areas and loading stalls be located at the side or rear of the site.
- W. Exemption from LUO Section 21-9.100-8(c)(5), to allow exemption to the requirement that the ground floor of parking structures on all streets must be designed and used for active ground floor activities within 40 feet of the front property line.

- X. Exemption from LUO Section 21-9.100-8(a)(4)(c), to allow exemption to the requirement that one entrance should be placed every 50 feet of the building façade facing a street or pedestrian plaza.
- Y. Exemption from LUO Section 21-2.40-2, to allow exemption from the Downtown TOD Special District Permit Process and Major Permit requirements.

BE IT FURTHER RESOLVED that the approval of the foregoing exemptions is subject to the following conditions:

- A. Except as modified herein, development must be in general conformance with the approved Project, as described herein and shown on plans and drawings labeled as Exhibits A through O. The Director may approve minor or non-substantive deviations (for example, minor design changes to comply with flood requirements and accommodate flood proofing measures). Major modifications to the site plan will require approval by the City Council.
- B. Prior to applying for building permits, the Applicant must submit revised plans to the DPP for review and approval which show the following:
 - 1. All bicycle parking spaces with minimum dimensions of two feet by six feet.
 - 2. At least four bicycle parking spaces located in the courtyard.
- C. Prior to the approval of any construction or BPs, the Applicant must submit for review for approval of the following:
 - 1. To the DPP and the Department of Transportation Services (DTS), a construction management plan (CMP) for the Project prior to the issuance of BPs for major construction work. The CMP should identify the type, frequency, and routing of heavy trucks and construction-related vehicles. The Applicant should make every effort to minimize impacts from construction vehicles and related construction activities. The CMP should identify and limit construction-related vehicular activity to periods outside of the peak periods of traffic, utilizing alternative routes for heavy trucks, provisions for either on-site or off-site staging areas for construction-related workers and vehicles to limit the use of on-street parking around the Project site, and other mitigation measures related to traffic and potential neighborhood impacts. Preliminary or

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conceptual traffic control plans should also be included in the CMP. The Applicant should document the condition of roadways prior to the start of construction activities and provide remedial measures, as necessary, such as restriping, road resurfacing, and/or reconstruction if the condition of the roadways has deteriorated as a result of the related construction activities.

- 2. To the DPP and DTS, a Traffic Management Plan (TMP) that demonstrates how the loading area will be managed with the mix of residential drop-off/pick-up as well as trash pick-up and commercial loading activities. The TMP should also discuss traffic impacts the Project may have on any surrounding City roadways, including short-term impacts during construction and long-term impacts after construction with corresponding measures to mitigate these impacts by applying complete streets principles.
- 3. To the DTS and DPP, a Transportation Impact Assessment (TIA) that examines the vehicle, pedestrian, bicycle, and public transit stress and comfort levels at the nearby intersections and driveways with corresponding improvements to mitigate these impacts by applying Complete Streets principles. The TIA shall discuss the future year growth rate, trip distribution, mode split, and route assignment assumptions used. Native files (e.g., Synchro, Excel, etc.) for the raw multi-modal counts and accompanying analyses shall be submitted. Refer to the DTS TIA Guide for multimodal assessment tools and recommended analyses.
- D. Prior to the issuance of a certificate of occupancy (CO), the Applicant must submit to the DPP for review and approval a parking management plan which describes how the tandem parking stalls will be managed.
- E. Approximately one year after the issuance of the CO, the Applicant must submit to the DPP for review and approval updates to the Focused Mobility Analysis Report (MAR) to validate the traffic projections, trip reduction rates, distribution, and assignment contained in the initial MAR dated August 6, 2019.
- F. Prior to the issuance of any BPs for the Project, the Applicant must execute a development agreement with the DPP that includes terms, conditions, and provisions to facilitate the efficient development and monitoring of the Project, and to ensure the Project's compliance with the requirements of Hawaii Revised Statutes (HRS) Chapter 201H and the draft Resolution.

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BE IT FURTHER RESOLVED that reference to specific statutes, ordinances, or regulations include respective successor statutes, ordinances, or regulations; and

BE IT FURTHER RESOLVED that the exemptions granted for the Project are not transferable to any other real property; and

BE IT FURTHER RESOLVED that the final plans and specifications for the Project constitute the zoning, building, and construction standards for the Project and are approved if those plans and specifications do not substantially deviate from the Plans submitted to the City Council; provided that minor modifications to the design character or specifications of the building, or landscaping may be approved by the DPP, if such modifications are consistent with the prevailing neighborhood character; and

BE IT FURTHER RESOLVED that no action may be prosecuted or maintained against the City and County of Honolulu, its officials or employees, on account of actions taken by them in reviewing or approving the plans and specifications, or in granting the exemptions listed herein; and

BE IT FURTHER RESOLVED that the Director of the DPP is authorized to execute and record the development agreement referenced above, pursuant to the terms, conditions, and provisions approved as to form and legality by the Corporation Counsel as being necessary, advisable, or desirable for the purpose of carrying out this resolution; and

BE IT FURTHER RESOLVED that the Director of the DPP is authorized to execute any incidental or related documents to carry out the transactions described above, so long as said documents do not increase either directly or indirectly the financial obligations of the City; and

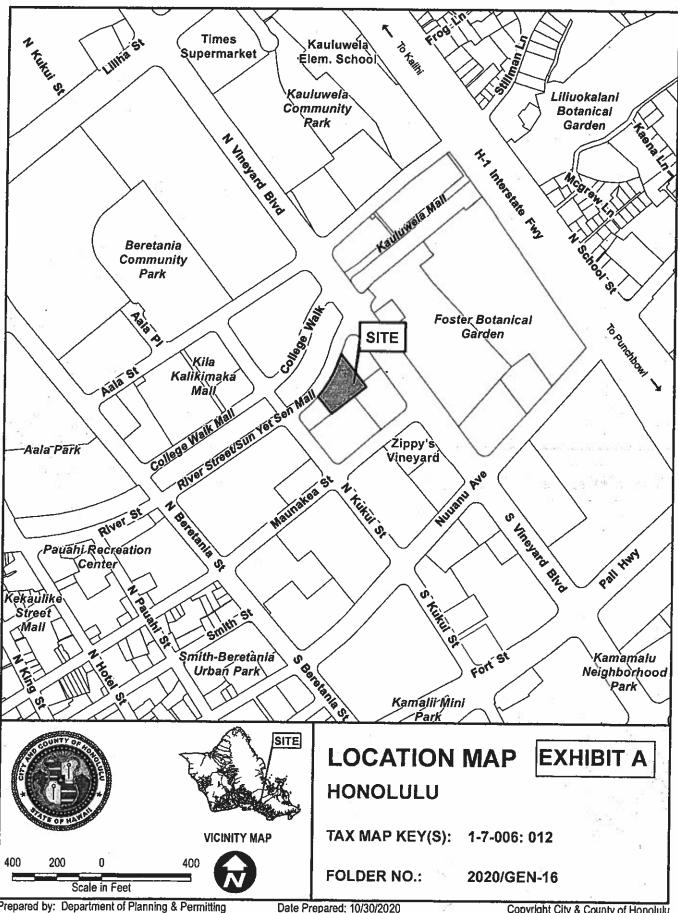


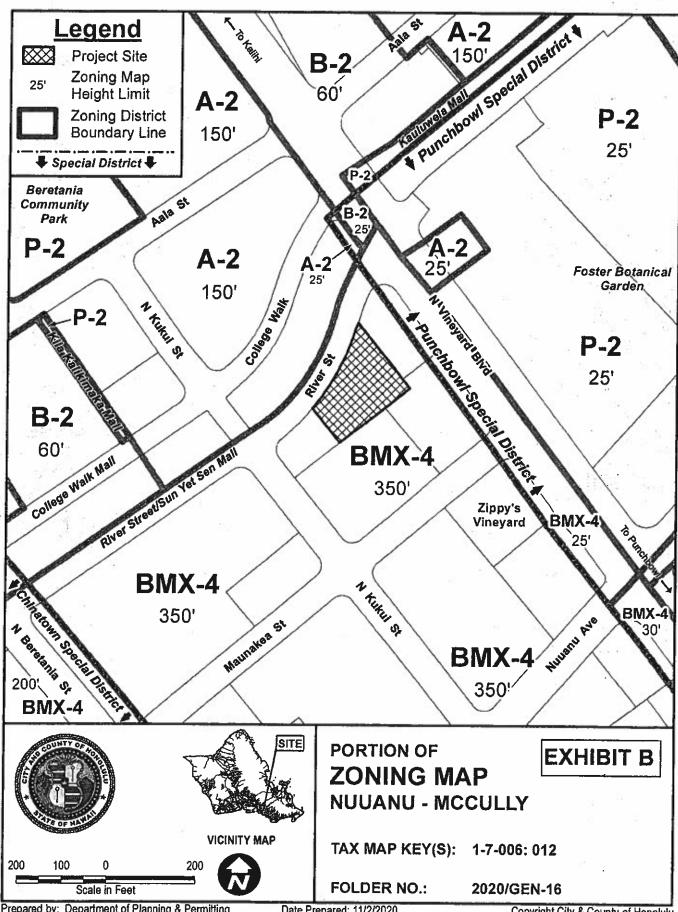
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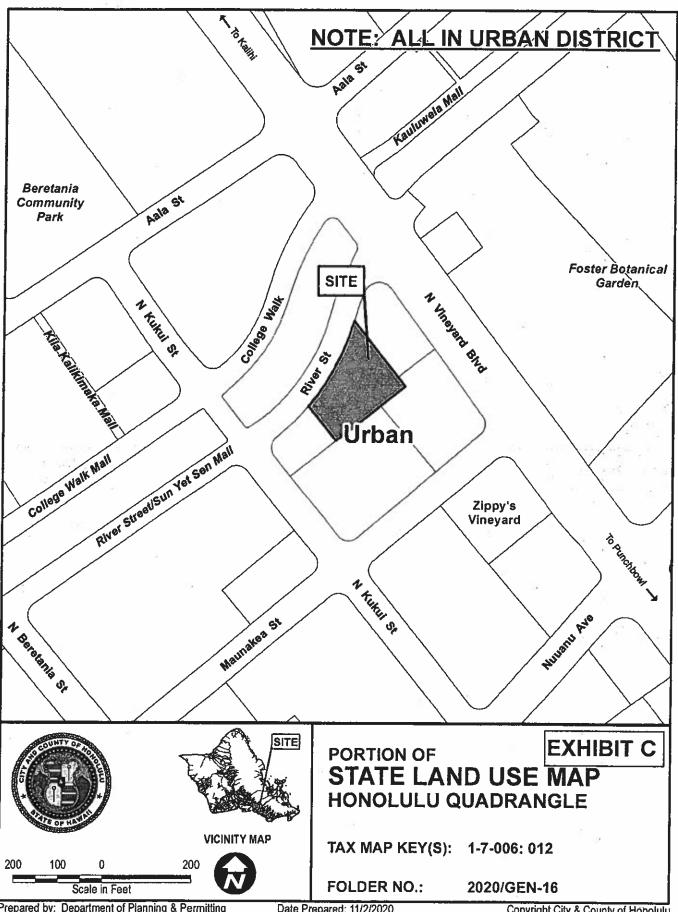
BE IT FINALLY RESOLVED by the City Council of the City and County of Honolulu that the Clerk transmit copies of this Resolution to: Kathy K. Sokugawa, Acting Director, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813; Sandra S. Pfund, Director, Department of Land Management, 558 South King Street, Honolulu, Hawaii 96813; Karen Seddon, Halewaiolu Senior Development, LLC, 737 Bishop Street, Suite 2020, Honolulu, Hawaii 96813; and Keith Kurahashi, R.M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

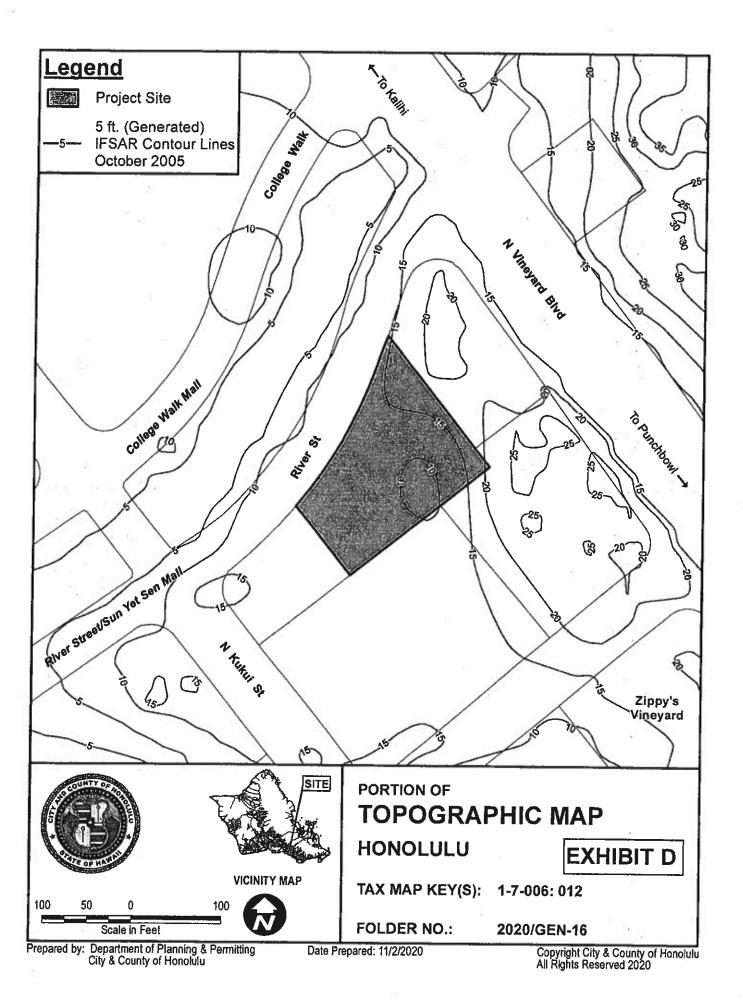
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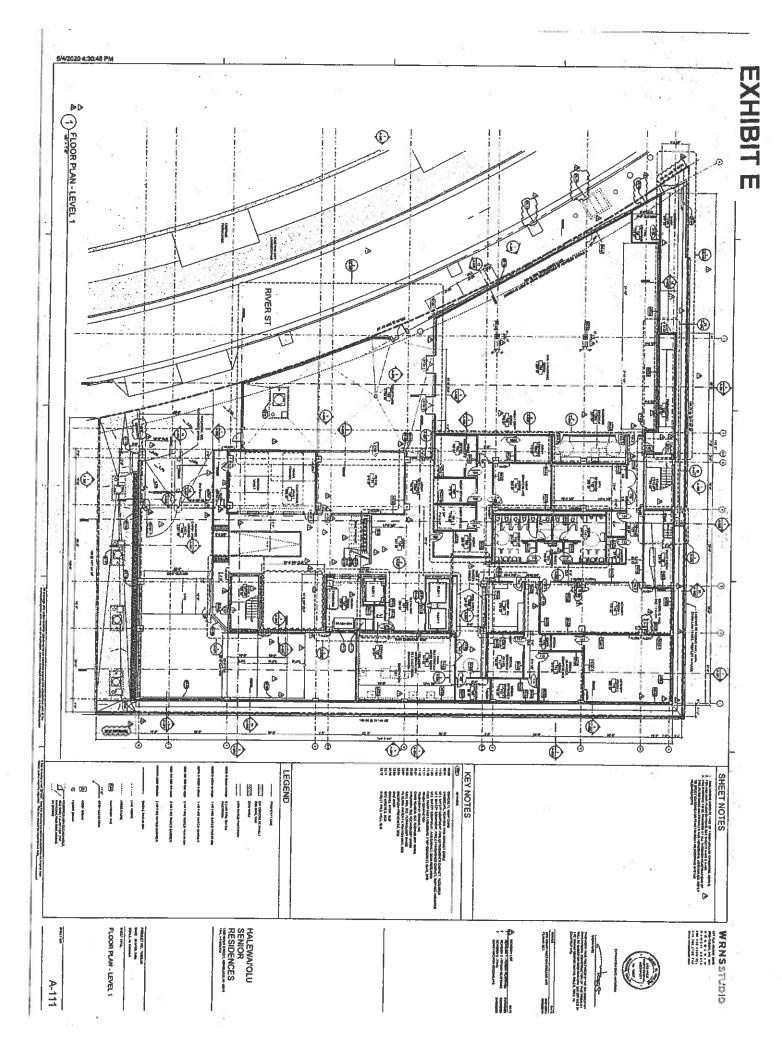
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Honolulu, Hawaii	Councilmembers	

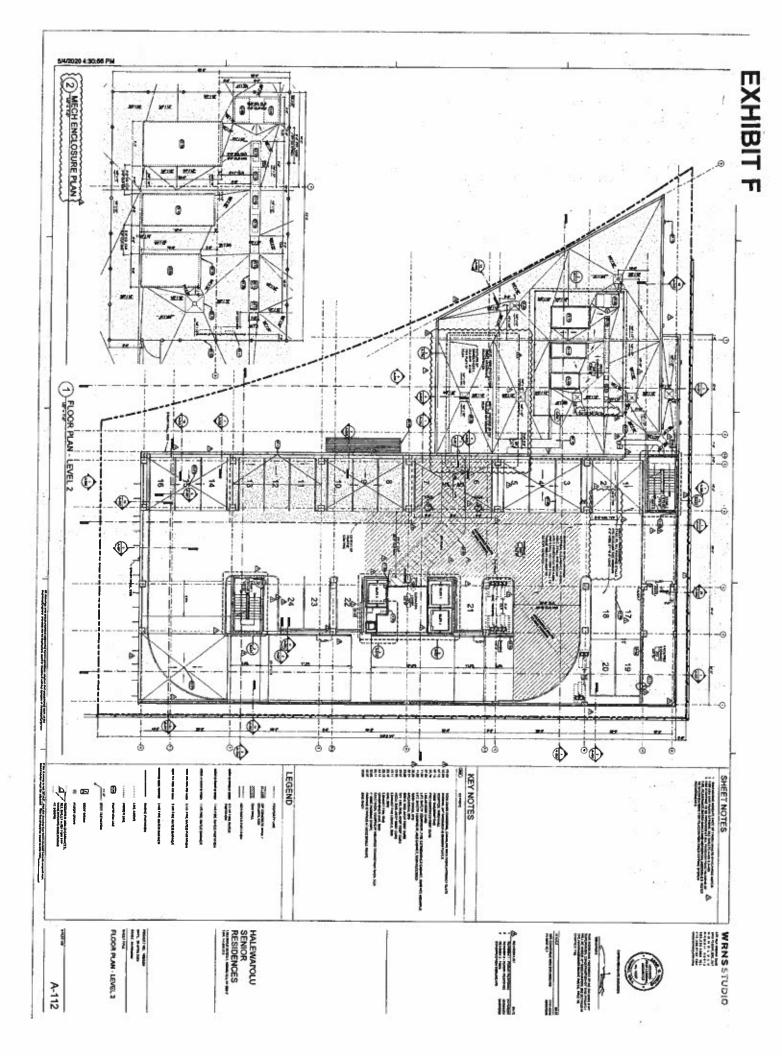


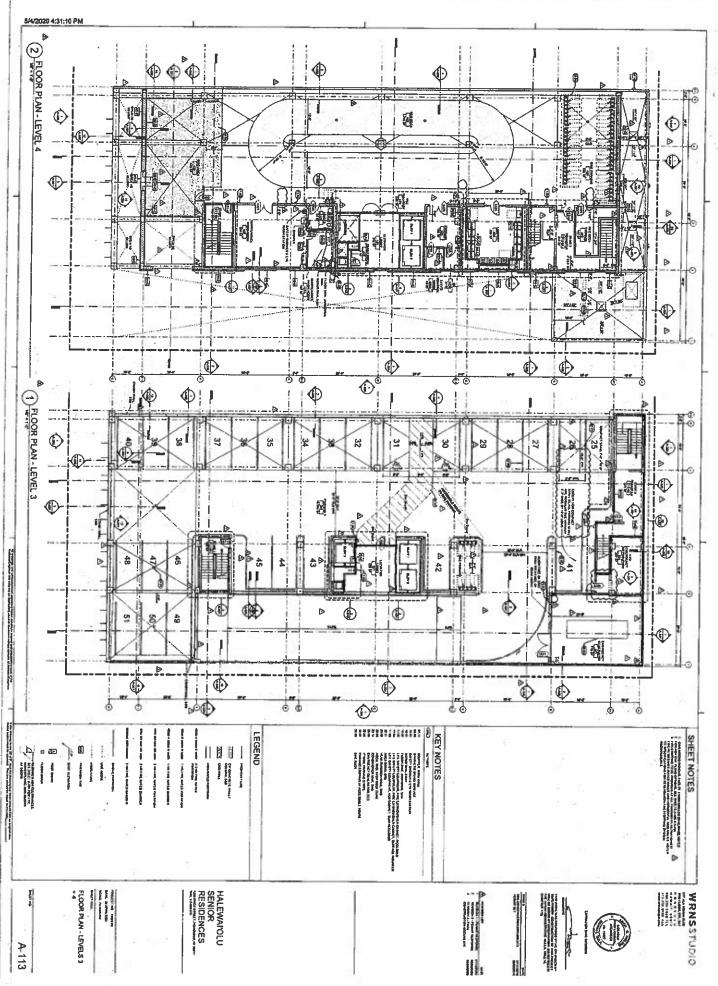


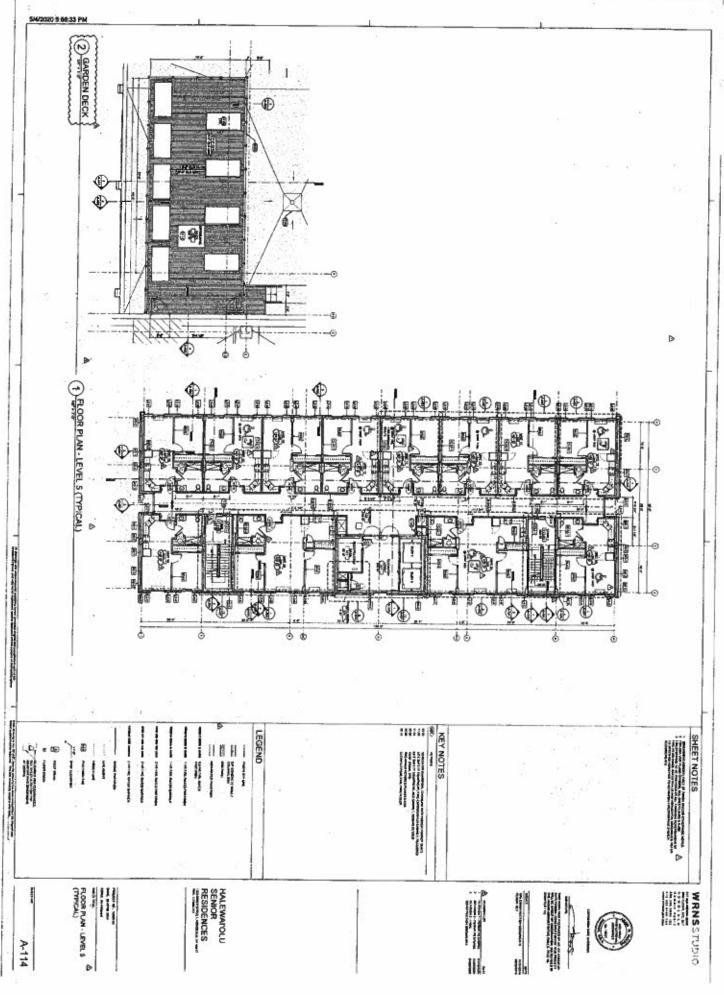


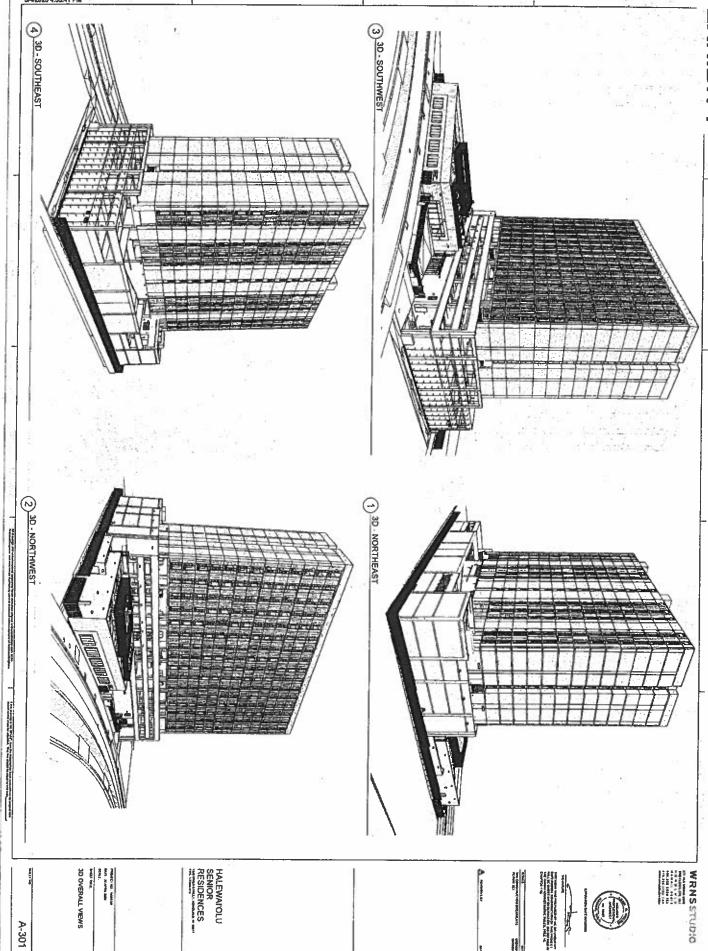




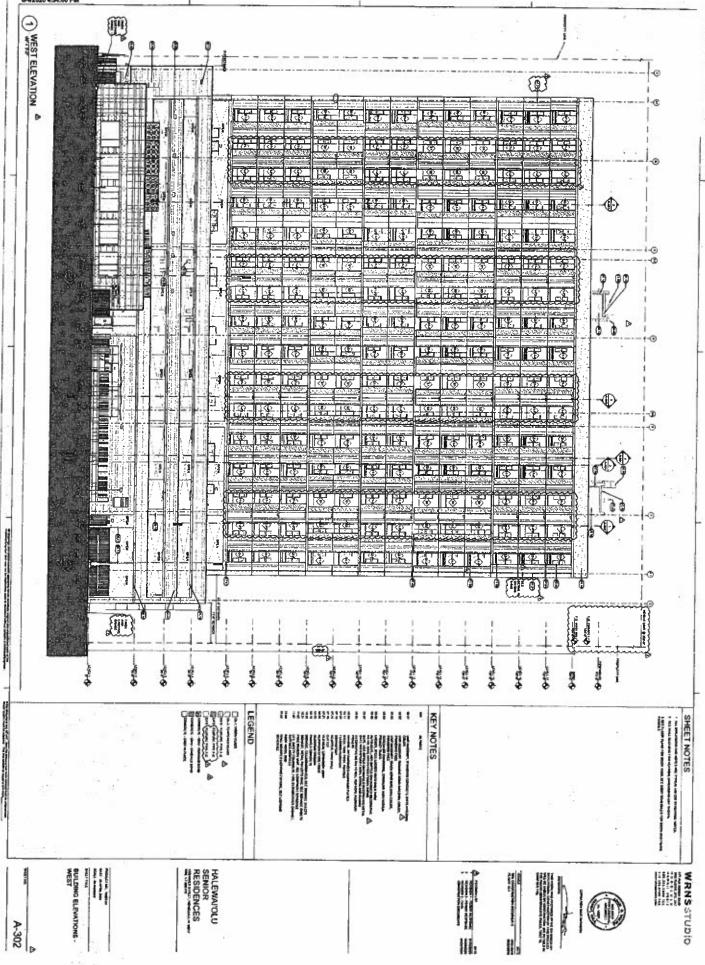


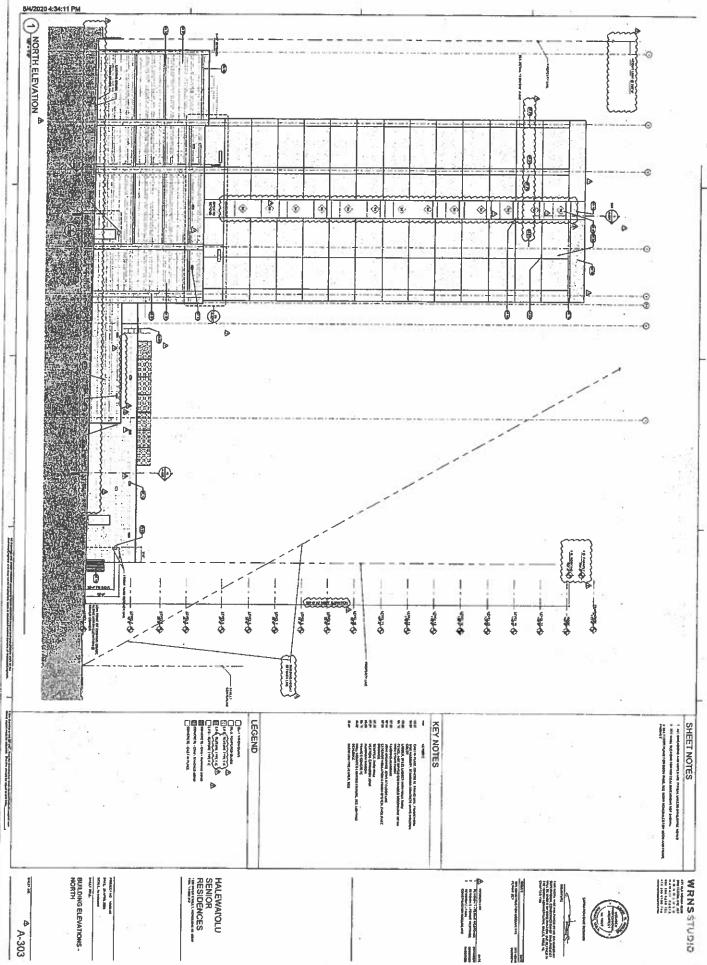


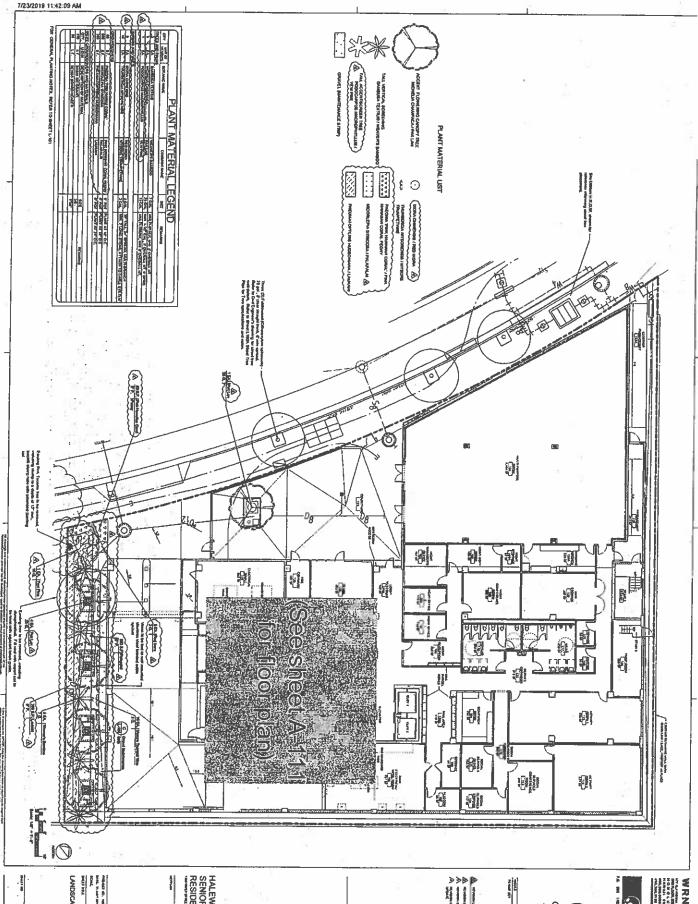




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LANDSCAPE SITE PLAN

HALEWAI'OLU SENIOR RESIDENCES



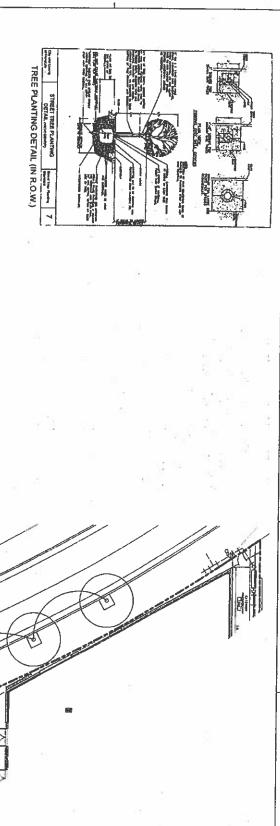








EXHIBIT 0



DEPARTMENT OF PLANNING AND PERMITTING Urban Design Branch

PLANT MATERIAL LEGEND

APPROVED BY:

STREET TREE PLAN

HALEWAI'OLU SENIOR RESIDENCES

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